

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MODESTINE SMITH THORPE,
individually and on behalf of all persons
similarly situated,**

Plaintiff,

v.

GOLDEN AGE HOME CARE, INC.,

Defendant.

Civil Action No.: 2:17-cv-01187-TR

Class and Collective Action

**PLAINTIFF'S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF THE SETTLEMENT AGREEMENT**

Plaintiff Modestine Smith Thorpe, through her undersigned counsel, respectfully moves this Court for an Order:

1. Granting preliminary approval of the Parties' Settlement Agreement, a true and correct copy of which is attached as Exhibit 1 to this Motion;
2. For settlement purposes, preliminarily certifying the state law claims as a Fed. R. Civ. P. 23 class on behalf of the Settlement Class;
3. Preliminarily approving Plaintiff Modestine Smith Thorpe as the Representative of the Settlement Class;
4. Preliminarily approving Berger & Montague, P.C. as Class Counsel for the Settlement Class;
5. Preliminarily approving the Angeion Group as Settlement Administrator and preliminarily approving the costs of claims administration;
6. Approving the Notice of Settlement, a true and correct copy in English of which is attached as Exhibit A to the Settlement Agreement, which will be distributed in English, Spanish,

Chinese and Vietnamese; and

7. Approving the proposed schedule and procedure for completing the final approval process as set forth in the Parties' Settlement Agreement.

This Motion is based on the accompanying Memorandum of Law, the Declaration of Sarah Schalman-Bergen in Support of the Plaintiff's Unopposed Motion for Preliminary Approval of the Settlement Agreement, the attached Exhibits, and all other records, pleadings and papers on file in this action. Pursuant to the terms of the Settlement Agreement, Defendant does not oppose this Motion.

A proposed Order is submitted for the Court's consideration.

Dated: May 29, 2018

Respectfully submitted,

BERGER & MONTAGUE, P.C.

s/ Sarah R. Schalman-Bergen

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*Attorneys for Plaintiff and Settlement Class
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through the Court's ECF system this 29th day of May, 2018.

s/ Sarah Schalman-Bergen
Sarah R. Schalman-Bergen